



INTERVENOR COMPENSATION CLAIM

Decision _____

FILED
8-05-16
04:04 PM

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of San Diego Gas & Electric Company (U902M) for Authority, Among Other Things, to Increase Rates and Charges for Electric and Gas Service Effective on January 1, 2016.	Application 14-11-003 (filed November 14, 2014)
Application of Southern California Gas Company (U904G) for Authority to Update its Gas Revenue Requirement and Base Rates Effective on January 1, 2016.	Application 14-11-004 (filed November 14, 2014)

**INTERVENOR COMPENSATION CLAIM OF Environmental Defense Fund
AND DECISION ON INTERVENOR COMPENSATION CLAIM OF
Environmental Defense Fund**

NOTE: After electronically filing a PDF copy of this Intervenor Compensation Claim (Request), please email the document in an MS WORD, supporting EXCEL Timesheets, and any other supporting documents to the Intervenor Compensation Program Coordinator at Icompcoordinator@cpuc.ca.gov.

Intervenor: Environmental Defense Fund	For contribution to Decision (D.) 16-06-054
Claimed: \$141,680	Awarded: \$
Assigned Commissioner: Michael Picker	Assigned ALJ: John S. Wong & Rafael L. Lirag
I hereby certify that the information I have set forth in Parts I, II, and III of this Claim is true to my best knowledge, information and belief. I further certify that, in conformance with the Rules of Practice and Procedure, this Claim has been served this day upon all required persons (as set forth in the Certificate of Service attached as Attachment 1).	
Signature:	/s/ Amanda Johnson
Date: 8/5/2016	Printed Name: Amanda Johnson

PART I: PROCEDURAL ISSUES (to be completed by Intervenor except where indicated)

<p>A. Brief description of Decision:</p>	<p>D. 16-06-054 addresses the test year (TY) 2016 general rate case (GRC) applications of San Diego Gas & Electric Company (SDG&E), and Southern California Gas Company (SoCalGas).</p> <p>D. 16-06-054 adopts all of the proposed settlements contained in the separate motions to adopt the proposed settlements in SDG&E's GRC application, and in SoCalGas's GRC application. However, D. 16-06-054 makes two income tax related adjustments to the revenue requirements, and one adjustment to SDG&E's offsite storage costs related to the San Onofre Nuclear Generating Station (SONGS). The first adjustment is for the repairs deduction issue, which the settlement parties agreed would be separately considered apart from the settlements, and recognized that the revenue requirement could change as a result of that issue. The second adjustment is for bonus depreciation, which ORA's settlement agreement with SDG&E and SoCalGas resolves, but which we determine is unreasonable. The third adjustment removes the SONGS offsite storage cost from the revenue requirement because that cost has been resolved in a different proceeding.</p> <p>With these three adjustments, D. 16-06-054 adopts a test year 2016 revenue requirement of \$1,791,273,000 for SDG&E's combined operations (\$1,482,396,000 for its electric operations, and \$308,877,000 for its gas operations). The adopted revenue requirement for SDG&E is \$104 million lower than what SDG&E had requested (\$1.895 billion) in its update testimony. D. 16-06-054 adopted base margin 2016 revenue requirement represents a \$50 million increase over SDG&E's currently authorized base margin revenue requirement of \$1,721,266,000.</p> <p>For SoCalGas, with the adjustments for the repairs deduction and bonus depreciation, we adopt a test year 2016 revenue requirement of \$2,203,966,000 for SoCalGas. D. 16-06-054 adopted 2016 revenue requirement is \$127 million lower than what SoCalGas had requested (\$2.331 billion) in its update testimony, and the adopted base margin 2016 revenue requirement is a \$138.801 million increase over SoCalGas' currently authorized base margin revenue requirement of \$1,966,480,000.</p> <p>The other issues resolved in this proceeding through D. 16-06-054 include the following:</p> <ul style="list-style-type: none"> • The adopted revenue requirement, and post-test year increases, will provide the necessary funds to allow SDG&E to operate its electric and natural gas transmission and distribution system safely and reliably at reasonable rates. • The adopted revenue requirement, and post-test year increases, will provide the necessary funds to allow SoCalGas to operate its natural gas transmission, gas distribution, and gas storage systems safely and reliably at reasonable rates.
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	<ul style="list-style-type: none">• As part of the agreed upon settlement amounts, \$38.381 million is provided for operating and maintenance costs, and a total of \$236 million for capital improvements over the GRC cycle, for SoCalGas' underground storage facilities, including funds for its storage integrity management program (SIMP).• The SIMP is a proactive program of SoCalGas to ensure the integrity of SoCalGas' underground gas storage facilities, and to detect and repair problems before they occur.• SDG&E is prohibited from compensating its employees, managers, and executives from variable compensation that is based on SDG&E's recovery of monies from ratepayers for the wildfire costs that are being litigated before the Commission in Application 15-09-010.• Pursuant to Pub. Util. Code § 706, requires SDG&E and SoCalGas to establish memorandum accounts to track the compensation of its officers authorized in this decision, and the compensation paid or owed to its officers, and to follow the requirements of this code section if SDG&E or SoCalGas seeks to have ratepayers pay for the "excess compensation" that may have been paid to or is owed to an officer in connection with of a "triggering event."• SoCalGas is to separate out the costs related to the Aliso Canyon leak in its next GRC to ensure that none of those costs are reflected in the TY 2019 revenue requirement.• Provides the necessary funds for SDG&E and SoCalGas to perform the pipeline inspection, testing, and maintenance work on their gas transmission and distribution pipelines as required by the federal government.• Provides the necessary funds to maintain and replace aging electric and gas delivery infrastructure so as to ensure the safe and reliable delivery of electricity and natural gas to customers.• Provides the necessary funds to comply with state and federal environmental regulations.• To lessen the danger of wildfires, provides the necessary funds to allow SDG&E to trim trees and brush away from overhead electric lines, and to replace many of its wooden poles with steel poles.• Adopts the other settlements between SDG&E, SoCalGas, and various other parties on issues such as: balancing account treatment for pension and other benefits; compliance with statutes regarding methane leakage provisions; continue to discuss a plan to repair non-hazardous leaks; developing avenues to increase the participation of diverse businesses and underrepresented individuals in the procurement and workforce needs of the utilities; maintaining balancing accounts for the integrity management programs associated with transmission and distribution pipelines, and for the storage integrity management program of SoCalGas.
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B. Intervenor must satisfy intervenor compensation requirements set forth in Pub. Util. Code §§ 1801-1812:

	Intervenor	CPUC Verified
Timely filing of notice of intent to claim compensation (NOI) (§ 1804(a)):		
1. Date of Prehearing Conference (PHC):	January 8, 2015	
2. Other specified date for NOI:		
3. Date NOI filed:	January 29, 2015	
4. Was the NOI timely filed? Yes		
Showing of customer or customer-related status (§ 1802(b)):		
5. Based on ALJ ruling issued in proceeding number:	R. 12-06-013	
6. Date of ALJ ruling:	February 25, 2013	
7. Based on another CPUC determination (specify):		
8. Has the Intervenor demonstrated customer or customer-related status?		
Showing of “significant financial hardship” (§ 1802(g)):		
9. Based on ALJ ruling issued in proceeding number:	A. 14-11-003/A.14-11-004	
10. Date of ALJ ruling:	April 1, 2015	
11. Based on another CPUC determination (specify):		
12. Has the Intervenor demonstrated significant financial hardship? Yes		
Timely request for compensation (§ 1804(c)):		
13. Identify Final Decision:	D. 16-06-054	
14. Date of issuance of Final Order or Decision:	July 1, 2016	
15. File date of compensation request:	August 5, 2016	
16. Was the request for compensation timely? Yes		

C. Additional Comments on Part I (use line reference # as appropriate):

#	Intervenor’s Comment(s)	CPUC Discussion

PART II: SUBSTANTIAL CONTRIBUTION (to be completed by Intervenor except where indicated)

A. Did the Intervenor substantially contribute to the final decision (see § 1802(i), § 1803(a), and D.98-04-059). (For each contribution, support with specific reference to the record.)

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
<p>EDF actively participated in the evidentiary and investigative portion of the proceeding and once Settlement Discussions advanced to fruition, EDF negotiated and entered the Proposed Settlement Agreement. EDF filed Opening and Reply Testimonies, participated in the evidentiary hearings and conducted cross-examination. In addition EDF, along with the other Settling Parties, filed comments advocating for the adoption of the Settlement Agreement.</p> <p>EDF continually advocated for the reduction of methane emissions in the natural gas distribution system through the use of leak surveying, detection and the cost-effective remediation of leaks.</p>	<p>1. Procedural Background</p> <p>Evidentiary hearings began on June 22, 2015 and concluded on July 15, 2015. A total of 18 days of evidentiary hearings were held, and over 400 exhibits were identified and used during the course of these proceedings.⁶</p> <p>⁶The showing by the Applicants consists of direct testimony, rebuttal testimony, workpapers in support of direct and rebuttal testimony, and other exhibits used during the examination of witnesses. The showing by the other parties consist of direct and rebuttal testimony, and other exhibits used during the examination of witnesses. The other parties who sponsored testimony are: ORA; California Coalition of Utility Employees (CCUE); Environmental Defense Fund (EDF); Federal Executive Agencies (FEA); Joint Minority Parties; Mussey Grade Road Alliance (MGRA); San Diego Consumers Action Network (SDCAN); Southern California Generation Coalition (SCGC); TURN; the Utility Consumers' Action Network (UCAN); and Utility Workers Union of America (UWUA). Page 8.</p> <p>4.1. SDG&E Settlement Motion</p> <p>The SDG&E Settlement Motion was filed jointly by the following: SDG&E; ORA; FEA; EDF; Joint Minority Parties; TURN; UCAN; and SDCAN. The SDG&E Settlement Motion is composed of five settlement agreements that are appended to the SDG&E Settlement Motion as Attachments 1 through 5. ...Attachment 3 is labeled as "Settlement Agreement Among EDF, SDG&E and SoCalGas." Attachment 3 was agreed to by SDG&E, SoCalGas, and EDF. Page 17.</p> <p>4.2. SoCalGas Settlement Motion</p> <p>The SoCalGas Settlement Motion was filed jointly by the following: SoCalGas; ORA; UWUA; FEA; EDF;</p>	

	<p>Joint Minority Parties; TURN; and UCAN. The SoCalGas Settlement Motion is composed of five settlement agreements that are appended to the SoCalGas Settlement Motion as Attachments 1 through 5. ...Attachments 2, 3, 4, and 5 are identical to the same attachments that we described for SDG&E. Page 28.</p> <p>6.10.3. Attachment 3 Settlement Agreement</p> <p>Most of the costs associated with the Attachment 3 Settlement Agreement pertain to leak detection, which is addressed in the category of costs for Support Services.</p> <p>The Attachment 3 settlement agreement to the SDG&E Settlement Motion resolves the contested issues between EDF, SDG&E, and SoCalGas. In this settlement agreement, as referenced earlier, the three settling parties agree to issues pertaining to Methane Leakage Abatement that was addressed in SB 1371, and which is the subject of the ongoing R.15-01-008. The settling parties also agree that the NERBA should be adopted as a two-way balancing account with the Applicants' proposed changes.⁵⁰</p> <p>None of the parties to these proceedings have objected to the Attachment 3 Settlement Agreement.</p> <p>Since the settlement terms in the Attachment 3 Settlement Agreement do not prejudice what the Commission is doing in other proceedings, agree to continue ongoing discussions and negotiations regarding the abatement of methane leaks, and provide support for seeking the recovery of costs which exceed the LDAR forecast through the NERBA, the Attachment 3 Settlement Agreement is reasonable and should be adopted.</p> <p>⁵⁰In the Attachment 1 Settlement Agreement to the SDG&E Settlement Motion and to the SoCalGas Settlement Motion, EDF and the Applicants also agreed to a two-way balancing account for the NERBA.</p> <p>7.9.3. Attachment 3 Settlement Agreement</p> <p>As described in Section 6.10.3 of this decision, EDF and the Applicants entered into the Attachment 3 Settlement Agreement to the SoCalGas Settlement</p>	
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	<p>Motion.</p> <p>For the reasons discussed in Section 6.10.3, the Attachment 3 Settlement Agreement to the SoCalGas Settlement Motion is reasonable and should be adopted. Page 264.</p>	
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B. Duplication of Effort (§ 1801.3(f) and § 1802.5):

	Intervenor's Assertion	CPUC Discussion
a. Was the Office of Ratepayer Advocates (ORA) a party to the proceeding?¹	Yes	
b. Were there other parties to the proceeding with positions similar to yours?	Yes	
c. If so, provide name of other parties: CUE		
d. Intervenor's claim of non-duplication: EDF's advocacy was not duplicative of other parties' efforts. EDF produced stand-alone documents and testimonies during the proceeding, which focused on the issue of methane emissions and remediation within the natural gas distribution system.		

C. Additional Comments on Part II (use line reference # or letter as appropriate):

#	Intervenor's Comment	CPUC Discussion

PART III: REASONABLENESS OF REQUESTED COMPENSATION (to be completed by Intervenor except where indicated)

A. General Claim of Reasonableness (§ 1801 and § 1806):

a. Intervenor's claim of cost reasonableness: EDF's costs were reasonable for the extensive general rate proceedings, which proceeded for almost two years and involved a consolidated docket. The office carefully considered its advocacy during the course of the docket and attempted to use cost-effective methods over the course of the proceeding.	CPUC Discussion
b. Reasonableness of hours claimed: EDF worked diligently throughout the process to only spend a reasonable and prudent amount of time.	
c. Allocation of hours by issue: All of EDF's work involved the issue of methane emissions within the natural gas distribution system.	

¹ The Division of Ratepayer Advocates was renamed the Office of Ratepayer Advocates effective September 26, 2013, pursuant to Senate Bill No. 96 (Budget Act of 2013: public resources), which was approved by the Governor on September 26, 2013.

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B. Specific Claim:*

CLAIMED						CPUC AWARD		
ATTORNEY, EXPERT, AND ADVOCATE FEES								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate \$	Total \$
Amanda Johnson	2014	10	\$140	ALJ-308	\$1,400			
Amanda Johnson	2015 (Jan.- June 2)	133.5	\$140	ALJ-308	\$18,690			
Amanda Johnson	2015 (June 2- Dec.)	135.5	\$165	ALJ-308	\$22,357. 50			
Amanda Johnson	2016	5	\$165	ALJ-308	\$825			
Jennifer Weberski	2014	26.5	\$400	D. 15-11-037	\$10,600			
Jennifer Weberski	2015	133.5	\$400	D. 15-11-037	\$53,400			
Jennifer Weberski	2016	3	\$400	D. 15-11-037	\$1,200			
Timothy O'Connor	2014	10	\$320	D. 15-11-037	\$3,200			
Timothy O'Connor	2015	86	\$320	D. 15-11-037	\$27,520			
Timothy O'Connor	2016	2	\$320	D. 15-11-037	\$640			
Subtotal: \$ \$139,832.50						Subtotal: \$		
OTHER FEES								
Describe here what OTHER HOURLY FEES you are Claiming (paralegal, travel **, etc.):								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate	Total \$
Subtotal: \$						Subtotal: \$		
INTERVENOR COMPENSATION CLAIM PREPARATION **								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate	Total \$
Jennifer Weberski	2015	2	\$200	D. 15-11-037	\$400			
Jennifer Weberski	2016	6	\$200	D. 15-11-037	\$120 0			

Amanda Johnson	2016	3	\$82.5	D. 15-11-037	\$247.5			
Subtotal: \$ \$1847.5						Subtotal: \$		
COSTS								
#	Item	Detail			Amount	Amount		
TOTAL REQUEST: \$ \$141,680						TOTAL AWARD: \$		
<p>**We remind all intervenors that Commission staff may audit their records related to the award and that intervenors must make and retain adequate accounting and other documentation to support all claims for intervenor compensation. Intervenor’s records should identify specific issues for which it seeks compensation, the actual time spent by each employee or consultant, the applicable hourly rates, fees paid to consultants and any other costs for which compensation was claimed. The records pertaining to an award of compensation shall be retained for at least three years from the date of the final decision making the award.</p> <p>**Travel and Reasonable Claim preparation time typically compensated at ½ of preparer’s normal hourly rate</p>								
ATTORNEY INFORMATION								
Attorney		Date Admitted to CA BAR ²		Member Number		Actions Affecting Eligibility (Yes/No?) If “Yes”, attach explanation		
Amanda Johnson		June 2015		303457		No		
Timothy O'Connor		July 2007		250490		No		

C. Attachments Documenting Specific Claim and Comments on Part III (Intervenor completes; attachments not attached to final Decision):

Attachment or Comment #	Description/Comment
1	Certificate of Service
2	Resume of Amanda Johnson
3	Resume of Jennifer Weberski
4	Resume of Timothy O'Connor
5	Excel timesheets of Johnson, Weberski and O'Connor
6	Ms. Johnson was admitted to the CA Bar in June 2015. The hourly compensation amount is increased beginning June 2015 to reflect her admission as an attorney.

D. CPUC Disallowances and Adjustments (CPUC completes):

Item	Reason
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² This information may be obtained through the State Bar of California's website at <http://members.calbar.ca.gov/fal/MemberSearch/QuickSearch> .

PART IV: OPPOSITIONS AND COMMENTS
Within 30 days after service of this Claim, Commission Staff
or any other party may file a response to the Claim (see § 1804(c))

(CPUC completes the remainder of this form)

A. Opposition: Did any party oppose the Claim?	
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If so:

Party	Reason for Opposition	CPUC Discussion

B. Comment Period: Was the 30-day comment period waived (see Rule 14.6(c)(6))?	
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If not:

Party	Comment	CPUC Discussion

FINDINGS OF FACT

1. Intervenor [has/has not] made a substantial contribution to D._____.
2. The requested hourly rates for Intervenor's representatives [,as adjusted herein,] are comparable to market rates paid to experts and advocates having comparable training and experience and offering similar services.
3. The claimed costs and expenses [,as adjusted herein,] are reasonable and commensurate with the work performed.
4. The total of reasonable compensation is \$_____.

CONCLUSION OF LAW

1. The Claim, with any adjustment set forth above, [satisfies/fails to satisfy] all requirements of Pub. Util. Code §§ 1801-1812.

ORDER

1. Intervenor is awarded \$_____.
2. Within 30 days of the effective date of this decision, _____ shall pay Intervenor the total award. [for multiple utilities: “Within 30 days of the effective date of this decision, ^, ^, and ^ shall pay Intervenor their respective shares of the award, based on their California-jurisdictional [industry type, for example, electric] revenues for the ^ calendar year, to reflect the year in which the proceeding was primarily litigated.”] Payment of the award shall include compound interest at the rate earned on prime, three-month non-financial commercial paper as reported in Federal Reserve Statistical Release H.15, beginning [date], the 75th day after the filing of Intervenor’s request, and continuing until full payment is made.
3. The comment period for today’s decision [is/is not] waived.
4. This decision is effective today.

Dated _____, at San Francisco, California.

**Attachment 1:
Certificate of Service by Customer**

I hereby certify that I have this day served a copy of the foregoing **INTERVENOR COMPENSATION CLAIM OF [Environmental Defense Fund] AND DECISION ON INTERVENOR COMPENSATION CLAIM** by (check as appropriate):

☐ hand delivery;
☒ first-class mail; and/or
☒ electronic mail

to the following persons appearing on the official Service List:

**CALIFORNIA PUBLIC UTILITIES COMMISSION
Service Lists**

**PROCEEDING: A1411003 - SDG&E - FOR AUTHORIT
FILER: SAN DIEGO GAS & ELECTRIC COMPANY
LIST NAME: LIST
LAST CHANGED: AUGUST 2, 2016**

Parties

DIANE CONKLIN
SPOKESPERSON
MUSSEY GRADE ROAD ALLIANCE
EMAIL ONLY
EMAIL ONLY, CA 00000
FOR: MUSSEY GRADE ROAD ALLIANCE

EVELYN KAHL
COUNSEL
ALCANTAR & KAHL LLP
EMAIL ONLY
EMAIL ONLY, CA 00000
FOR: INDICATED SHIPPERS

WILLIAM P. CURLEY, III
CITY ATTORNEY
CITY OF MISSION VIEJO
515 S. FIGUEROA ST., STE. 750
1500
LOS ANGELES, CA 90071
FOR: CITY OF MISSION VIEJO
GENERATION

NORMAN A. PEDERSEN, ESQ.
ATTORNEY AT LAW
HANNA AND MORTON LLP
444 S. FLOWER STREET, SUITE

LOS ANGELES, CA 90071-2916
FOR: SOUTHERN CALIFORNIA

COALITION

DANIEL W. DOUGLASS
ATTORNEY
COMPANY

KRIS G. VYAS
SOUTHERN CALIFORNIA EDISON

Revised September 2014

DOUGLASS & LIDDELL
4766 PARK GRANADA, STE. 209
3-B
CALABASAS, CA 91302
FOR: ALLIANCE FOR RETAIL ENERGY MARKETS
EDISON COMPANY
(AREM)/THE DIRECT ACCESS CUSTOMER
COALITION DACC)

RAYMOND LUTZ
NATIONAL COORDINATOR
CITIZENS OVERSIGHT, INC.
771 JAMACHA RD., NO. 148
EL CAJON, CA 92019
FOR: CITIZENS OVERSIGHT, INC. (COPS)

DONALD KELLY
EXE. DIRECTOR
NETWORK
UTILITY CONSUMERS' ACTION NETWORK
3405 KENYON ST., STE. 401
SAN DIEGO, CA 92110
ACTION NETWORK
FOR: UTILITY CONSUMERS' ACTION NETWORK

JOHN A. PACHECO
COUNSEL
SAN DIEGO GAS & ELECTRIC COMPANY
COALITION
8330 CENTURY PARK CT., CP32
SAN DIEGO, CA 92123
FOR: SAN DIEGO GAS & ELECTRIC
THE
COMPANY/SOUTHERN CALIFORNIA GAS COMPANY
COALITION, THE

MIRANDA CENTER

ORANGE COUNTY

ALLIANCE, CHRIST

THE LOS

COMMERCE

MARC D JOSEPH
ADAMS BROADWELL JOSEPH & CARDOZO, PC
COMMISSION
601 GATEWAY BLVD., STE. 1000
SOUTH SAN FRANCISCO, CA 94080
FOR: COALITION OF CALIFORNIA UTILITY

PO BOX 800
2244 WALNUT GROVE AVE. QUAD

ROSEMEAD, CA 91770
FOR: SOUTHERN CALIFORNIA

MARIA C. SEVERSON, ESQ.
AGUIRRE & SEVERSON LLP
501 WEST BROADWAY, STE. 1050
SAN DIEGO, CA 92101-3591
FOR: RUTH HENRICKS

MICHAEL SHAMES, ESQ.
SAN DIEGO CONSUMERS' ACTION

6975 CAMINO AMERO
SAN DIEGO, CA 92111
FOR: SAN DIEGO CONSUMERS'

ROBERT GNAIZDA
COUNSEL
NATIONAL ASIAN AMERICAN

15 SOUTHGATE AVE., STE 200
DALY CITY, CA 94015
FOR: JOINT MINORITY PARTIES:

NATIONAL ASIAN AMERICAN

ECUMENICAL CENTER FOR BLACK
CHURCHSTUDIES, THE JESSE

FOR HISPANIC LEADERSHIP,

INTERDENOMINATIONAL

OUR REDEEMER AME CHURCH, AND

ANGELES LATINO CHAMBER OF

LAURA J. TUDISCO
CALIF PUBLIC UTILITIES

LEGAL DIVISION
ROOM 5032
505 VAN NESS AVENUE

Revised September 2014

EMPLOYEES
3214

SAN FRANCISCO, CA 94102-

FOR: ORA

ROBERT FINKELSTEIN
GENERAL COUNSEL
THE UTILITY REFORM NETWORK
161
785 MARKET ST., STE. 1400
SAN FRANCISCO, CA 94103
AGENCIES
FOR: TURN

RITA M. LIOTTA
FEDERAL EXECUTIVE AGENCIES
1 AVENUE OF THE PALM, SUITE

SAN FRANCISCO, CA 94130
FOR: FEDERAL EXECUTIVE

STEVEN W. FRANK
LAW DEPARTMENT
PACIFIC GAS AND ELECTRIC COMPANY
PO BOX 770000, MAIL CODE B30A
SAN FRANCISCO, CA 94177
FOR: PACIFIC GAS AND ELECTRIC COMPANY
FUND (EDF)

JENNIFER WEBERSKI
CONSULTANT ON BEHALF OF:
ENVIRONMENTAL DEFENSE FUND
49 TERRA BELLA DRIVE
WALNUT CREEK, CA 94596
FOR: ENVIRONMENTAL DEFENSE

MELISSA W. KASNITZ
CENTER FOR ACCESSIBLE TECHNOLOGY
3075 ADELINE STREET, STE. 220
BERKELEY, CA 94703
OF AMERICA
FOR: CENTER FOR ACCESSIBLE TECHNOLOGY

WILLIAM JULIAN, II
43556 ALMOND LANE
DAVIS, CA 95618
FOR: UTILITY WORKERS UNION
(UWUA)

Information Only

ALICIA AGUILAR
LEGAL SECRETARY/PARALEGAL
COMPANY
HANNA AND MORTON LLP
EMAIL ONLY
EMAIL ONLY, CA 00000
FOR: SOUTHERN CALIFORNIA GENERATION
COALITION

CASE ADMINISTRATION
PACIFIC GAS AND ELECTRIC
EMAIL ONLY
EMAIL ONLY, CA 00000

CHRISTA LIM
ATTORNEY AT LAW
SAN DIEGO GAS AND ELECTRIC COMPANY
EMAIL ONLY
EMAIL ONLY, CA 00000

DAVID MARCUS
ADAMS BROADWELL & JOSEPH
EMAIL ONLY
EMAIL ONLY, CA 00000

DAVID READMAN
EMAIL ONLY
COMPANY
EMAIL ONLY, CA 00000

GRC 2017 CASE COORDINATION
PACIFIC GAS AND ELECTRIC
EMAIL ONLY

Revised September 2014

JESSICA TAM
SPECIAL COUNSEL
CONSULTING, LLC
NATIONAL ASIAN AMERICAN COALITION
EMAIL ONLY
EMAIL ONLY, CA 00000

JULIEN DUMOULIN-SMITH
EMAIL ONLY
CARDOZO
EMAIL ONLY, CA 00000

PAUL PATTERSON
GLENROCK ASSOCIATES LLC
EMAIL ONLY
EMAIL ONLY, NY 00000

SCOTT MURTISHAW
ENERGY ADVISOR
CPUC - EXEC DIV
EMAIL ONLY
EMAIL ONLY, CA 00000

TADASHI GONDAI
SR. ATTORNEY
NATIONAL ASIAN AMERICAN COALITION
EMAIL ONLY
EMAIL ONLY, CA 00000

KAREN TERRANOVA
ALCANTAR & KAHL
EMAIL ONLY
EMAIL ONLY, CA 00000-0000

FELIKS KERMAN
VISIUM ASSET MANAGEMENT
888 7TH AVENUE
NEW YORK, NY 10019

JAMES (JIM) VON RIESEMANN
MIZUHO SECURITIES USA, INC.
320 PARK AVENUE, 12TH FLOOR
NEW YORK, NY 10022

EMAIL ONLY, CA 00000

JOSEPH W. MITCHELL, PH.D.
M-BAR TECHNOLOGIES AND

EMAIL ONLY
EMAIL ONLY, CA 00000

MARC D. JOSEPH
ADAMS BROADWELL JOSEPH &

EMAIL ONLY
EMAIL ONLY, CA 00000

ROSE-LYNN ARMSTRONG
EQUITY RESEARCH
BARCLAYS
EMAIL ONLY
EMAIL ONLY, CA 00000

STEPHEN LUDWICK
ZIMMER PARTNERS
EMAIL ONLY
EMAIL ONLY, CA 00000

MRW & ASSOCIATES, LLC
EMAIL ONLY
EMAIL ONLY, CA 00000

MICHAEL DANDURAND
LNZ CAPTIAL, LP
EMAIL ONLY
EMAIL ONLY, NY 10012

MATTHEW DAVIS
CARLSON CAPITAL, L.P.
712 5TH AVENUE, 25TH FLR.
NEW YORK, NY 10019

ARMAN TABATABAI
RESEARCH
MORGAN STANLEY
1585 BROADWAY, 38TH FL.
NEW YORK, NY 10036

Revised September 2014

JIM KOBUS
RESEARCH
MORGAN STANLEY
1585 BROADWAY, 38TH FLOOR
NEW YORK, NY 10036

ALEX KANIA
WOLFE RESEARCH
STUDIES OFFICE
420 LEXINGTON AVENUE, SUITE 648
COMMAND HQ
NEW YORK, NY 10170
BLDG. 33

MAKDA SOLOMON
NAVY UTILITY RATES AND STUDIES OFFICE
BLDG. 33, STE. 1000
1322 PATTERSON AV. SE, BLDG 33,STE. 1000
WASHINGTON NAVY YARD, DC 20374-5065

PRISCILA C. KASHA
DEPUTY CITY ATTORNEY
WATER & POWER
LOS ANGELES DEPT. OF WATER & POWER
1150
11 NORTH HOPE STREET, ROOM 340
LOS ANGELES, CA 90012

RODNEY A. LUCK
LOS ANGELES DEPT. OF WATER & POWER
111 NORTH HOPE STREET, ROOM 1150
COMPANY
LOS ANGELES, CA 90012
1400. GT14E7

JEFF SALAZAR
SOUTHERN CALIFORNIA GAS COMPANY
REVENUE REQ.
555 W. FIFTH STREET, GT14D6
COMPANY
LOS ANGELES, CA 90013

JOHNNY J. PONG
SOUTHERN CALIFORNIA GAS COMPANY
555 WEST FIFTH ST., STE. 1400
SUITE 1235
LOS ANGELES, CA 90013-1034

GREGORY REISS
MILLENNIUM MANAGEMENT LLC
666 FIFTH AVENUE, 8TH FLOOR
NEW YORK, NY 10103

KAY DAVOODI
ACQ-UTILITY RATES AND
NAVAL FACILITIES ENGINEERING
1322 PATTERSON AVE., SE -
WASHINGTON, DC 20374-5018

RALPH SMITH
LARKIN & ASSOCIATES
15728 FARMINGTON ROAD
LIVONIA, MI 48154

ROBERT PETTINATO
LOS ANGELES DEPARTMENT OF
111 NORTH HOPE STREET, SUITE
LOS ANGELES, CA 90012

JASON W. EGAN
ATTORNEY
SOUTHERN CALIFORNIA GAS
555 W. FIFTH STREET, STE.
LOS ANGELES, CA 90013

RONALD VAN DER LEEDEN
DIR.-GENERAL RATE CASE &
SOUTHERN CALIFORNIA GAS
555 W. FIFTH STREET, GT14D6
LOS ANGELES, CA 90013

TOM ROTH
ROTH ENERGY COMPANY
545 S. FIGUEROA STREET,
LOS ANGELES, CA 90071

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LEESA NAYUDU
PASADENA DEPARTMENT OF WATER & POWER
& POWER
150 SOUTH LOS ROBLES AVE., STE. 200
PASADENA, CA 91101

CHRIS CHWANG
BURBANK WATER AND POWER
SUPERINTENDENT
164 WEST MAGNOLIA BLVD.
BURBANK, CA 91502

CASE ADMINISTRATION
SOUTHERN CALIFORNIA EDISON COMPANY
DEPARTMENT
2244 WALNUT GROVE AVE./PO BOX 800
COMPANY
ROSEMEAD, CA 91770
346L

CARL WOOD
AFL-CIO, NAT'L REGULATORY AFFAIRS DIR.
UTILITY WORKERS UNION OF AMERICA
2021 S. NEVADA ST
OCEANSIDE, CA 92054

MICHAEL J. AGUIRRE
AGUIRRE MORRIS & SEVERSON LLP
501 W. BROADWAY, STE. 1050
SAN DIEGO, CA 92101-3591

CARRIE ANNE DOWNEY
LAW OFFICES OF CARRIE ANNE DOWNEY
1313 YNEZ PLACE
COMPANY
CORONADO, CA 92118
CP32D

LAURA M. EARL
ATTORNEY
SAN DIEGO GAS & ELECTRIC COMPANY
8330 CENTURY PARK CT, CP32
SAN DIEGO, CA 92123

STEVEN ENDO
PASADENA DEPARTMENT OF WATER
150 S. LOS ROBLES, SUITE 200
PASADENA, CA 91101

HIMANSHU PANDEY
ASST. POWER PRODUCTION
BURBANK WATER & POWER
164 W. MAGNOLIA BLVD.
BURBANK, CA 91502

ROBERT FRANCIS LEMOINE
SENIOR ATTORNEY, LAW
SOUTHERN CALIFORNIA EDISON
2244 WALNUT GROVE AVE. SUITE
ROSEMEAD, CA 91770

JOHN W. LESLIE
ATTORNEY
DENTONS US LLP
EMAIL ONLY
EMAIL ONLY, CA 92101

DONALD C. LIDDELL
ATTORNEY
DOUGLASS & LIDDELL
2928 2ND AVENUE
SAN DIEGO, CA 92103

EMMA D. SALUSTRO
ATTORNEY
SAN DIEGO GAS & ELECTRIC
8330 CEDNTURY PARK CT.,
SAN DIEGO, CA 92123

PETER GIRARD
SDG&E / SOCALGAS
8316 CENTURY PARK COURT
SAN DIEGO, CA 92123

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CHARLES R. MANZUK
DIR. - RATES & REVENUE REQUIREMENTS
SAN DIEGO GAS & ELECTRIC COMPANY
8330 CENTURY PARK CT, CP32D
SAN DIEGO, CA 92123-1530

SUE MARA
CONSULTANT
COMMISSION
RTO ADVISORS, LLC
NATURAL GAS
164 SPRINGDALE WAY
REDWOOD CITY, CA 94062

3214

MARCEL HAWIGER
STAFF ATTORNEY
FELLOW
THE UTILITY REFORM NETWORK
785 MARKET ST., STE. 1400
FLR.
SAN FRANCISCO, CA 94103

SIMI ROSE GEORGE
MGR., NATURAL GAS DISTRIBUTION REGULATION
ENVIRONMENTAL DEFENSE FUND
123 MISSION STREET
SAN FRANCISCO, CA 94105

SAMUEL GOLDING
PRESIDENT
COMMUNITY CHOICE PARTNERS, INC.
2242
58 MIRABEL AVENUE
SAN FRANCISCO, CA 94110

JOHN M. CUMMINS
FEDERAL EXECUTIVE AGENCIES
1 AVENUE OF THE PALMS, SUITE 161
SAN FRANCISCO, CA 94130

CATHERINE E. YAP
BARKOVICH & YAP, INC.
PO BOX 11031
INDUSTRIES ASSN.
OAKLAND, CA 94611

JOHN SUGAR

NOE R. GUTIERREZ
IMPERIAL IRRIGATION DISTRICT
333 EAST BARIONI BLVD.
IMPERIAL, CA 92251

YOU-YOUNG SELLDEN
CALIF PUBLIC UTILITIES

MARKET STRUCTURE, COSTS AND

AREA
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-

AMANDA JOHNSON
US CLIMATE AND ENERGY LONG

ENVIRONMENTAL DEFENSE FUND
123 MISSION STREET, 28TH

SAN FRANCISCO, CA 94105

TIM O'CONNOR
SR. ATTORNEY AND DIRECTOR
ENVIRONMENTAL DEFENSE FUND
123 MISSION STREET, 28TH FL.
SAN FRANCISCO, CA 94105

CALIFORNIA ENERGY MARKETS
425 DIVISADERO ST. SUTIE 303
SAN FRANCISCO, CA 94117-

RALPH E. DENNIS
DENNIS CONSULTING
2140 VIA MEDIA COURT
BENICIA, CA 94510

BRAD HEAVNER
POLICY DIR.
CALIFORNIA SOLAR ENERGY

EMAIL ONLY
EMAIL ONLY, CA 95401

RONALD LIEBERT

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JBS ENERGY
311 D STREET, SUITE A
LLP
WEST SACRAMENTO, CA 95605
400

MANUFACTURERS AND

KAREN NORENE MILLS
ATTORNEY
CALIFORNIA FARM BUREAU FEDERATION
2300 RIVER PLAZA DRIVE
SACRAMENTO, CA 95833

ATTORNEY AT LAW
ELLISON SCHNEIDER & HARRIS

2600 CAPITOL AVENUE, STE.

SACRAMENTO, CA 95816
FOR: CALIFORNIA

TECHNOLOGY ASSOCIATION

State Service

LEUWAM TESFAI
CALIFORNIA PUBLIC UTILITIES COMMISSION
ENERGY
EMAIL ONLY
EMAIL ONLY, CA 00000

MITCHELL SHAPSON
STAFF ATTORNEY
LIANE RANDOLPH
CALIFORNIA PUBLIC UTILITIES COMMISSION
EMAIL ONLY
EMAIL ONLY, CA 00000

SEAN A. SIMON
ENERGY
COMMISSION
CALIFORNIA PUBLIC UTILITIES COMMISSION
LAW JUDGES
EMAIL ONLY
EMAIL ONLY, CA 00000

3214

ARTHUR J. O'DONNELL
CALIF PUBLIC UTILITIES COMMISSION
COMMISSION
RISK ASSESSMENT AND ENFORCEMENT
NATURAL GAS
AREA
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214
3214

MICHAEL COLVIN
CPUC - SED
EMAIL ONLY
EMAIL ONLY, CA 00000

RACHEL PETERSON
CHIEF OF STAFF TO COMM.

CPUC - ENERGY
EMAIL ONLY
EMAIL ONLY, CA 00000

ANA M. GONZALEZ
CALIF PUBLIC UTILITIES

DIVISION OF ADMINISTRATIVE

ROOM 2106
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-

BELINDA GATTI
CALIF PUBLIC UTILITIES

MARKET STRUCTURE, COSTS AND

AREA 4-A
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-

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CHRISTINE J. HAMMOND
CALIF PUBLIC UTILITIES COMMISSION
COMMISSION
LEGAL DIVISION
ENFORCEMENT
ROOM 5220
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214
3214

CLAYTON K. TANG
CALIF PUBLIC UTILITIES COMMISSION
COMMISSION
ENERGY COST OF SERVICE & NATURAL GAS BRA
ENFORCEMENT
ROOM 4205
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214
3214

ELAINE LAU
CALIF PUBLIC UTILITIES COMMISSION
COMMISSION
MARKET STRUCTURE, COSTS AND NATURAL GAS
LAW JUDGES
AREA 3-F
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214
3214

MARYAM GHADDESSI
CALIF PUBLIC UTILITIES COMMISSION
COMMISSION
MARKET STRUCTURE, COSTS AND NATURAL GAS
AREA 4-A
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214
3214

RAFAEL L. LIRAG
CALIF PUBLIC UTILITIES COMMISSION
COMMISSION
DIVISION OF ADMINISTRATIVE LAW JUDGES
NATURAL GAS BRA
ROOM 5103
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214
3214

SREEKUMAR GOPAKUMAR

CHRISTOPHER PARKES
CALIF PUBLIC UTILITIES

RISK ASSESSMENT AND

AREA 2-D
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-

ED CHARKOWICZ
CALIF PUBLIC UTILITIES

RISK ASSESSMENT AND

AREA 4-A
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-

JOHN S. WONG
CALIF PUBLIC UTILITIES

DIVISION OF ADMINISTRATIVE

ROOM 5106
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-

NOEL OBIORA
CALIF PUBLIC UTILITIES

LEGAL DIVISION
ROOM 5121
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-

ROBERT M. POCTA
CALIF PUBLIC UTILITIES

ENERGY COST OF SERVICE &

ROOM 4205
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-

TRUMAN L. BURNS

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CALIF PUBLIC UTILITIES COMMISSION
COMMISSION
INFRASTRUCTURE PLANNING AND PERMITTING B
NATURAL GAS BRA
AREA 4-A
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214
3214

CALIF PUBLIC UTILITIES
ENERGY COST OF SERVICE &
ROOM 4205
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-

WENDY AL-MUKDAD
CALIF PUBLIC UTILITIES COMMISSION
RISK ASSESSMENT AND ENFORCEMENT
AREA 4-A
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214

LYNN MARSHALL
CONSULTANT
CALIFORNIA ENERGY COMMISSION
1516 9TH STREET, MS-20
SACRAMENTO, CA 95814

Executed this 5th day of August, 2016, at San Francisco,
California.

/s/ Amanda Johnson

Amanda Johnson
123 Mission Street
28th Floor
San Francisco, CA 94105